

AMENDED

SPECIAL MEETING CALL

I, William I. May, Jr., hereby call a special meeting of the Frankfort Board of Commissioners for Monday, December 17, 2007, at 5:30 p.m., in the Council Chamber of the Municipal Building, 315 West Second Street. This meeting will be in lieu of the Regular Meeting scheduled for Monday, December 24, 2007. All items on the agenda will be considered and action will be taken. The Board of Commissioners will also meet in closed session per KRS 61.810 (1)(f), Personnel.

S/William I. May, Jr.  
T/Mayor

Special Meeting  
Frankfort Board of Commissioners

December 17, 2007  
5:30 P.M. (EST)

**PRESENT**

Commissioner Lynn Bowers  
Commissioner Kathy Carter  
Commissioner Doug Howard  
Commissioner Rodney Williams  
Mayor May

(5)

**ABSENT**

(0)

The meeting was called to order by Mayor May. The Rev. Jackson Brewer, First United Methodist Church, gave the invocation. The Pledge of Allegiance was recited.

Mayor May reported on certification from the National League of Cities, and on Inauguration events.

It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the minutes of the November 26, 2007 regular meeting be adopted as presented. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor May and Police Chief Mark Wilhoite recognized George G. Quire, who was in attendance, who was retiring after 24 and ½ years with the City.

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 37, PERSONNEL; CITY EMPLOYEES, SECTION 37.05, BANKRUPTCY EFFECT” was presented and read. This Ordinance had its first reading on November 26, 2007. It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Ordinance be adopted. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 40, 2007 Series).

“AN ORDINANCE AMENDING THE CITY OF FRANKFORT CODE OF ORDINANCES, CHAPTER 151 –BY AMENDING THE CITY OF FRANKFORT’S SUBDIVISION AND DEVELOPMENT PLAN REGULATIONS - ORDINANCE NO. 26, 2007 SERIES, ORDINANCE NO. 20, 2006 SERIES, ORDINANCE NO. 23, 2005 SERIES, AND ORDINANCE NO. 3, 2004 SERIES, BEING THE ADOPTED SUBDIVISION AND DEVELOPMENT PLAN REGULATIONS FOR FRANKFORT AND FRANKLIN COUNTY, BY AMENDING SECTION 1.15.00; 7.11.00; 2.03.02.S, 3.03.02.S; 4.03.02.Q; 7.05.03; 7.05.04; 7.08.06; 7.09.05; 2.03.07; 3.03.07; 4.03.07; 2.03.09; 3.03.09; 4.03.09; PART 2, FIGURE 2.11; PART 3, FIGURE 3.11; AND 4.04.02 AS INDICATED IN THE ATTACHMENT OF THIS ORDINANCE” was presented and read. The Ordinance had its first reading on November 26, 2007. It was moved by Commissioner Howard, seconded by Commissioner Carter, that the Ordinance be adopted. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 41, 2007 Series).

Following discussion and citizen comments, “AN ORDINANCE ACCEPTING BERRY HILL DRIVE AND A PORTION OF LEAWOOD DRIVE AS A PUBLIC STREET” was presented and read.

“AN ORDINANCE CLOSING AN UNNAMED ALLEY INTERSECTING HOLMES STREET BETWEEN COLLINS STREET AND HUDSON STREET” was presented and read.

Following discussion, “AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 71, TRAFFIC RULES; SECTION 71.50, DEFINITIONS” was presented and read.

Following discussion, “AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 71, TRAFFIC RULES; SECTION 71.52, APPLICATION FOR PERMIT” was presented and read. It was moved by Commissioner Bowers, to raise the fee to \$50. Motion died for lack of a second. It was moved by Commissioner Bowers, seconded by Commissioner Howard, to amend paragraph “C” to increase the fee to \$25. Following discussion, the question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter and Howard (3). Voting against the motion were Commissioner Williams and Mayor May (2). The motion was there upon adopted. “AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 71, TRAFFIC RULES; SECTION 71.52, APPLICATION FOR PERMIT” was presented and read, as amended.

“AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 71, TRAFFIC RULES; SECTION 71.53, APPLICATION FOR PERMIT” was presented and read. Discussion followed. It was moved by Commissioner Howard, seconded by Commissioner Carter, that the Paragraph “I” of the Ordinance be revised to include “and/or” language relative to methods of public notification. It was moved by Commissioner Bowers to amend the amendment to require that flyers be placed on the doors of affected residences. The motion failed to receive a second. It was moved by Commissioner Howard, seconded by Commissioner Bowers, to amend the amendment to include flyers in addition to other method or as the method of public notification to properties along the parade route. Following discussion, the question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The amendment to the motion was thereupon adopted. The question was then put upon the motion as amended, and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion, as amended, was thereupon adopted. “AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 71, TRAFFIC RULES; SECTION 71.53, APPLICATION FOR PERMIT” was presented and read, as amended.

“RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE COMMONWEALTH OF KENTUCKY COMMERCE CABINET, KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES FOR THE COVE SPRING #1 STREAM RESTORATION AND ENHANCEMENT PROJECT AND DESIGNATING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING TO THIS GRANT INCLUDING THE MEMORANDUM OF AGREEMENT” was presented. It was moved by Commissioner Howard, seconded by Commissioner Carter, that the Resolution be adopted. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion was none (0). The motion was thereupon adopted (Resolution No. 14, 2007 Series).

“A RESOLUTION OF THE CITY OF FRANKFORT, KENTUCKY AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE TRANSPORTATION CABINET'S DEPARTMENT OF HIGHWAYS AND TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY THE TRANSPORTATION CABINET TO FACILITATE THIS PROJECT” was presented. It was moved by Commissioner Carter, seconded by Commissioner Williams, that the Resolution be adopted. The question was put upon the motion and the roll called. Voting in favor of the motion

were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion was none (0). The motion was thereupon adopted (Resolution No. 15, 2007 Series).

“RESOLUTION ACCEPTING THE PEDESTRIAN-BICYCLE PLAN SUBMITTED BY WALKBIKE FRANKFORT” was presented. Comments were presented by Jim Call. It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the Resolution be adopted. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion was none (0). The motion was thereupon adopted (Resolution No. 16, 2007 Series).

“RESOLUTION AUTHORIZING THE CITY OF FRANKFORT TO SUBMIT AN INTENT TO APPLY FOR TRANSPORTATION ENHANCEMENT FUNDING FOR CONSTRUCTION OF A SHARED USE PATH FROM DOWNTOWN RIVERVIEW PARK TO COVE SPRINGS PARK” was presented. It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the Resolution be adopted. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion was none (0). The motion was thereupon adopted (Resolution No. 17, 2007 Series).

“RESOLUTION CONCERNING ENERGY EFFICIENCY AND CLIMATE CHANGE” was presented. Following discussion and comments from Andy McDonald, it was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Resolution be adopted. Additional discussion followed. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion was none (0). The motion was thereupon adopted (Resolution No. 18, 2007 Series).

The following miscellaneous and personnel items were presented:

- 6.1 Approved the 2008 Parks, Recreation and Historic Sites Rates Schedule; rates to be increased \$5.00 per participant in parks and recreation baseball and softball programs for the 2008 season (Parks, Recreation and Historic Sites);
- 6.2 Approved the 2006-2007 Annual Audit for the City of Frankfort prepared by Charles T. Mitchell Co; funds in the amount of \$16,500 allocated from General Fund Account 100.00.53220 and \$10,000 allocated in Sewer Account 200.68.53220 for total audit cost of \$26,500 (Finance Department);
- 6.3 Declared Police canine, Marco, as surplus property and authorized Marco’s retirement; ownership transferred to Marco’s handler, Officer Michael Frazee, who has agreed to accept financial responsibility and liability for his care (Police Department);
- 6.4 Authorized purchase of 2008 Chevrolet Silverado 3500HD 4WD Ext. Cab 161.5” wheel base truck from Jeff Jones Chevrolet Pontiac Buick, Inc. for \$44, 178 through State Price Contract #C- 05418618; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.5 Approved Change Order No. 1 with MTN Construction Inc., for improvements to the Septage Pit at the WWTP; change order of \$6,057.35 due to requests made by the Sewer Department; total contract cost increased to \$76,932.35; funds available in Account No. 300.68.56550 (Sewer Department);
- 6.6 Authorized award of a professional service contract to Webster Environmental Associates, Inc. (WEA) for an Odor Study of the collection system on the west side of Frankfort; total cost of \$47,080 to include 10% (\$4,280) for any additional testing, if necessary; funds available in Account No. 200.68.53265 (Sewer Department);
- 6.7 Authorized award of emergency contract to replace electric and conduit at Old Lawrenceburg Road Pump Station/Force main; contract will be a time and materials contract not to exceed \$30,000; funds available in Account No. 300.68.53250 (Sewer Department);
- 6.8 Authorized an easement for gas line construction over City of Frankfort property located at the intersection of US 421 and US 460 (the Fire Station property) to Columbia Gas of Kentucky, Inc.; easement will not affect City of Frankfort operations; Columbia Gas of Kentucky, Inc. to pay the City of Frankfort \$500 for this easement (City Solicitor);
- 6.9 Authorized the following personnel actions:
  - Appointment of Fanta Bayo, effective 1-2-08, to position of Pretreatment Coordinator/Chemist (Sewer);
  - Retirement of George G. Quire, effective 12-31-07, and authorized payment of all accrued time as of effective date (Police);
  - Resignation of William A. Stratton, effective 12-14-07, and authorize payment of all accrued time as of effective date (Police);
  - Resignation of Thomas L. Downey, effective 12-18-07 (Public Works)

It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the Consent Agenda be approved. All members being present, the motion to approve the consent agenda was adopted without objection.

**Board Appointments**

It was moved by Commissioner Howard, seconded by Commissioner Bowers, to accept the Mayor’s recommendation to reappoint Crit Luallen, Louis Tandy, Martha Moore, and Mary Smith to the Capital City Museum Board, for terms ending 12-31-10. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**New Business**

Without objection, consideration of a community movie project with e-Local Link/CGI Communications was passed over, and no action taken.

It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Board go into closed session per KRS 61.810 (1)(f), personnel. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Howard, seconded by Commissioner Williams, to return to open session. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Howard, seconded by Commissioner Williams, that the meeting adjourn. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted, and the meeting adjourned at 8:36 p.m.

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Mayor

Attest:

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City Clerk